

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #SAC-2006-831-1ID-P

30 June 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

S.C. COAST AND LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON, SOUTH CAROLINA 29414

for a permit to construct a dock, boat ramp, bulkhead and place riprap in

BATTERY CREEK

located downstream of the Seaboard Coastline Railroad Crossing in the City of Beaufort in Beaufort County, South Carolina.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

August 6
12 O'CLOCK NOON, MONDAY, ~~31~~ JULY 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a community staging dock and boat ramp and the construction of a bulkhead and installation of riprap along the shoreline. In detail, the proposed dock will have a fixed 4' x 20' walkway with an attached 8' x 16' floating dock. The proposed 12' wide x 60' long boat ramp will be installed on the existing grade. A combination of 1,268' of timber bulkhead and 606' of stone riprap will be placed at the existing escarpment to prevent further shoreline erosion. Riprap will also be placed around the perimeter of the boat ramp for stabilization purposes. The purpose of this work is for the private recreational use for the residents of the planned Live Oaks at Battery Creek single family residential development.

NOTE: The applicant had indicated that any individual private docks will be applied for on an individual basis by the lot owner.

RECEIVED

JUN 30 2006

DHEC-OCRM
BEAUFORT OFFICE

30 June 2006

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
Post Office Box 919
Charleston, South Carolina 29402-0919.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 0.20 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

REGULATORY DIVISION

30 June 2006

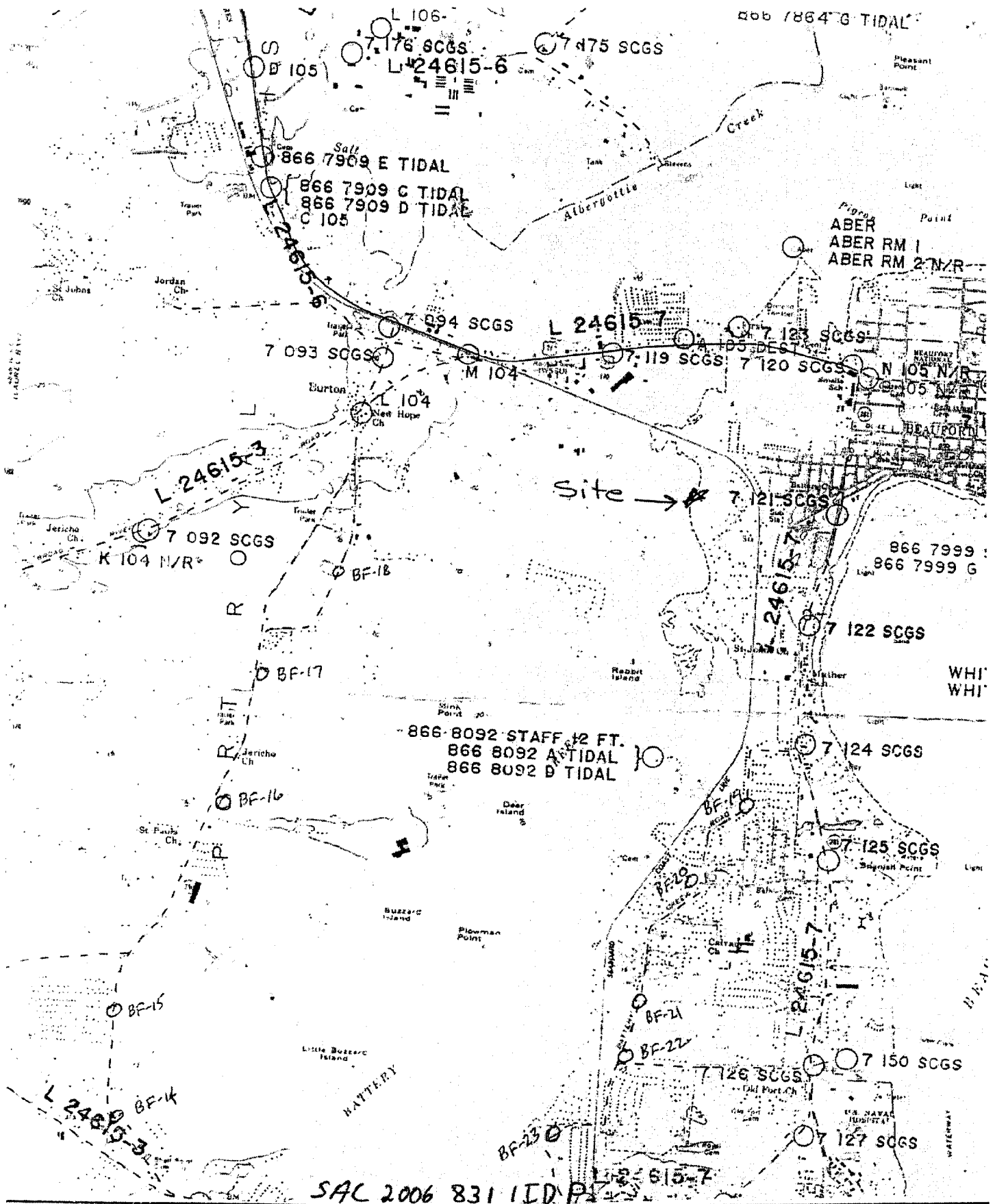
Refer to: P/N #SAC-2006-831-1ID-P

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Dean Herndon at 843-329-8044 or toll free at 1-866-329-8187.



APPLICANT: SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

ACTIVITY:
PRIVATE DOCK

LOCATION: TIMBER BULKHEAD
AT BATTERY CREEK SUBDIVISION
BEAUFORT, SC. 29908

COUNTY: BEAUFORT
DATED: MARCH 27, 2006

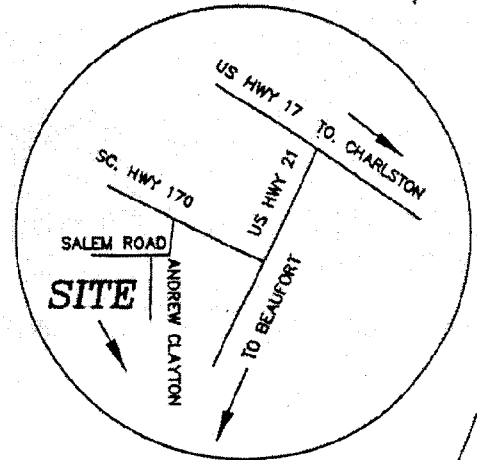
ADJACENT PROPERTY:

- 1) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414
- 2) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

Sh. 1 of 6

CHRISTENSEN ~ KHALIL SURVEYORS, INC.

1816 BOUNDARY STREET, BEAUFORT, S.C. 29902
(803) 524-4148, FAX (803) 524-8864



SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

**NO PARKING ALLOWED
ALL BOAT TRAILER & CARS
TO BE PARKED AT
OWNERS HOME**

CONCRETE
BOAT RAMP
60' BOAT RAMP

SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

BLUFF
MHW

6" CONCRETE
BOAT RAMP

EXISTING
GROUND
LINE

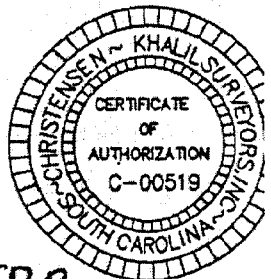
CROSS-SECTION
BOAT RAMP

CERTIFICATION:

I HEREBY CERTIFY THAT THE DISTANCES THAT PERTAIN TO CRITICAL LINE AND MARSH LINES ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS ACROSS EXTENDED PROPERTY LINE.

ZYAD A. KHALIL
SC REGISTERED LAND SURVEYOR # 13176

OCRM PERMIT #SAC 2006 831 /IDP



APPLICANT:

SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

ACTIVITY:

PRIVATE DOCK

LOCATION:

BOAT RAMP
AT BATTERY CREEK SUBDIVISION
BEAUFORT, SC. 29906
R122 029 000 0319 0000

COUNTY:

DATED:

BEAUFORT
MARCH 27, 2006

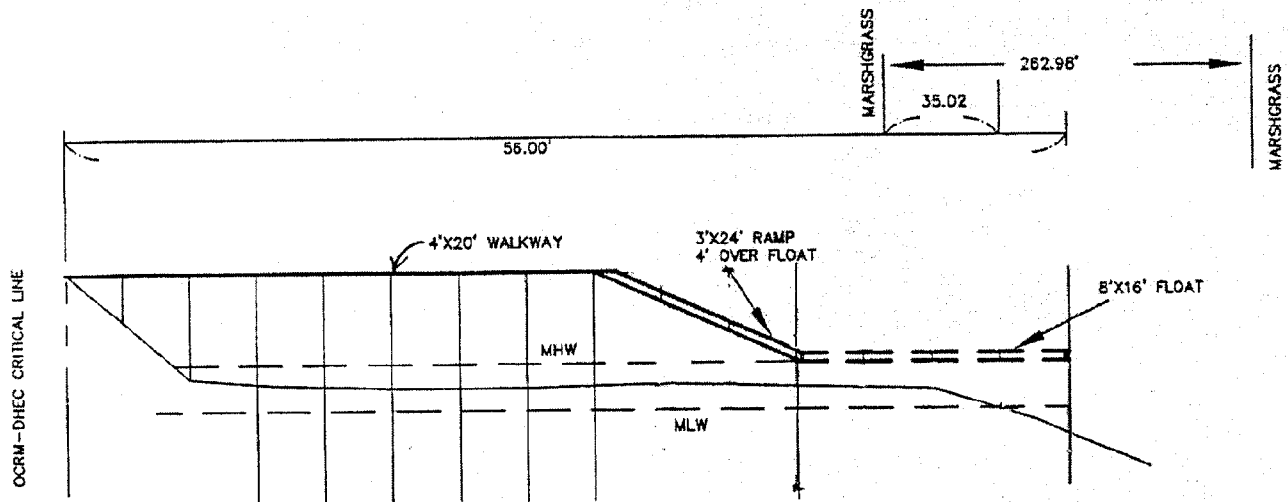
ADJACENT PROPERTY:

- 1) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414
- 2) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

Sh 2 of 6

CHRISTENSEN ~ KHALIL SURVEYORS, INC.

1816 BOUNDARY STREET, BEAUFORT, S.C. 29902
(803) 524-4148, FAX (803) 524-8864



SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

**NO PARKING ALLOWED
ALL BOAT TRAILER & CARS
TO BE PARKED AT
OWNERS HOME**

SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

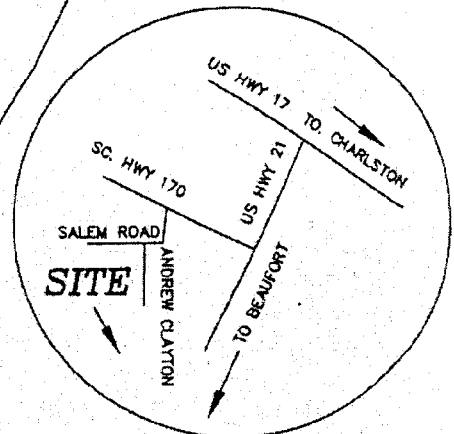
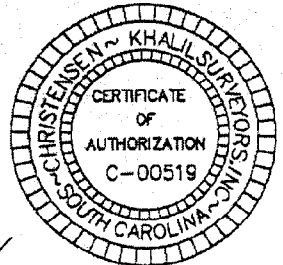
DOCK CONSIST OF
4'X20' WALKWAY
3'X24 RAMP TO
8'X16' FLOAT WITH RIP-RAP

CERTIFICATION:

I HEREBY CERTIFY THAT THE DISTANCES THAT PERTAIN TO CRITICAL LINE AND MARSH LINES ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS ACROSS EXTENDED PROPERTY LINE.

ZYAD A. KHALIL
SC REGISTERED LAND SURVEYOR # 15178

OCRM PERMIT # SAC 2006 831 IIDP



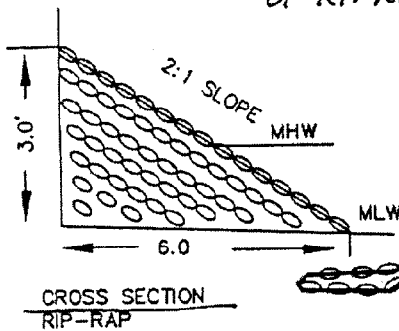
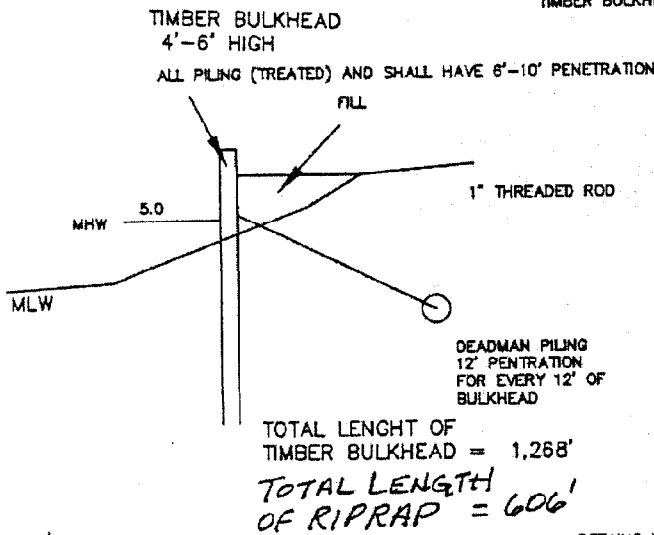
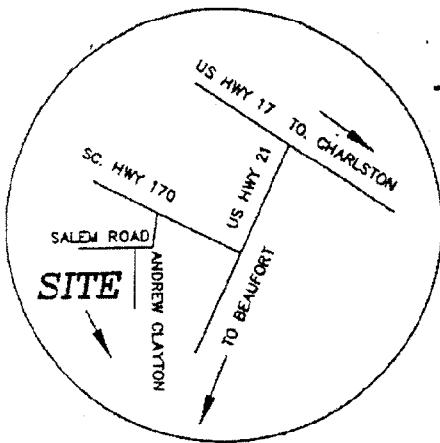
APPLICANT: SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414
ACTIVITY: PRIVATE DOCK

LOCATION: COMMUNITY DOCK
AT BATTERY CREEK SUBDIVISION
BEAUFORT, SC. 29906
R122 029 000 0318 0000
COUNTY: BEAUFORT

ADJACENT PROPERTY:
1.) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414
2.) SC COAST & LAKES, LLC

CHRISTENSEN ~ KHALIL SURVEYORS, INC.

1816 BOUNDARY STREET, BEAUFORT, S.C. 29902
(803) 524-4148, FAX (803) 524-8884
+ -4.42



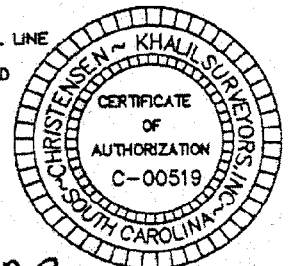
CERTIFICATION:

I HEREBY CERTIFY THAT THE DISTANCES THAT PERTAIN TO CRITICAL LINE AND MARSH LINES ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS ACROSS EXTENDED PROPERTY LINE.

ZYAD A. KHALIL
SC REGISTERED LAND SURVEYOR # 15176

SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

OCRM PERMIT # SAC 2006 231 IDP



APPLICANT:

SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

ACTIVITY:

PRIVATE DOCK

LOCATION:

TIMBER BULKHEAD
AT BATTERY CREEK SUBDIVISION
BEAUFORT, SC. 29908

COUNTY:

BEAUFORT

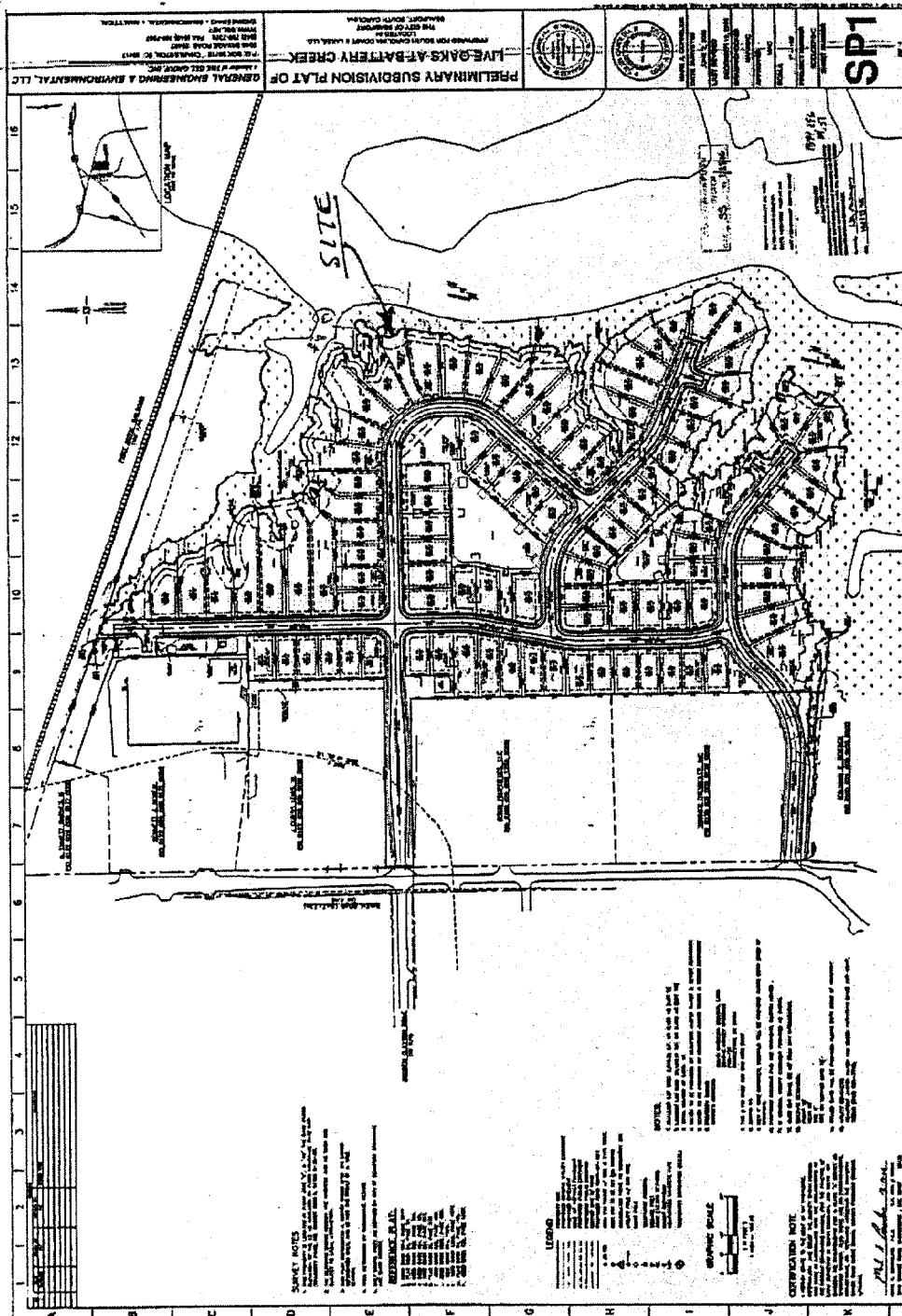
DATED:

MARCH 27, 2006

ADJACENT PROPERTY:

- 1.) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414
- 2.) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

Sh 4 of 6



SAC 2006 831 / IDP

APPLICANT: SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414

ACTIVITY:
PRIVATE DOCK

Sh. 6 of 6

LOCATION: COMMUNITY DOCK
AT BATTERY CREEK SUBDIVISION
BEAUFORT, SC. 29908
R122 029 000 0319 0000

COUNTY: BEAUFORT
DATED: MARCH 27, 2006

ADJACENT PROPERTY:

- 1.) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414
- 2.) SC COAST & LAKES, LLC
2245-C ASHLEY CROSSING DRIVE
CHARLESTON SC. 29414